

ASSEMBLY BILL

No. 1252

Introduced by Assembly Member Davis

February 18, 2011

An act to amend Section 1167 of the Penal Code, relating to criminal trials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1252, as introduced, Davis. Criminal trials.

Existing law provides for the right to trial by jury. Existing law allows a jury to be waived in a criminal cause by the consent of both parties expressed in open court by the defendant and the defendant's counsel. Existing law requires that when a jury trial is waived, the judge before whom the trial is had shall announce his or her findings upon the issues of fact in substantially the form prescribed for the general verdict of a jury.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1167 of the Penal Code is amended to
- 2 read:
- 3 1167. When a jury trial is waived, the judge or justice before
- 4 whom the trial is had shall, at the conclusion thereof, announce
- 5 his *or her* findings upon the issues of fact, which shall be in

- 1 substantially the form prescribed for the general verdict of a jury
- 2 and shall be entered upon the minutes.

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